

**THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

MALACHI YORK©™ misnomer	:	
DWIGHT YORK,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action
	:	No. 5:08-cv-455 (CAR)
	:	
USA,	:	
FEDERAL BUREAU OF PRISONS, and	:	
AGENTS/HEIRS,	:	
	:	
Defendants.	:	
	:	

ORDER

Plaintiff, proceeding *pro se*, filed the above-captioned action on December 29, 2008.

Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, Plaintiff had 120 days from that date to perfect service on the Defendants. There is no indication in the record that any of the Defendants has received service of the summons and complaint. On July 31, 2009, the Court ordered Plaintiff to show cause why the case should not be dismissed for failure to perfect service as required by the Federal Rules. Plaintiff has not responded to the Show Cause Order. In the absence of any good cause for Plaintiff's failure to effect timely service, this case is hereby **DISMISSED** without prejudice. All pending motions in the case are to be dismissed as moot.

It is SO ORDERED this 11th day of September, 2009.

S/ C. Ashley Royal
C. ASHLEY ROYAL, JUDGE
UNITED STATES DISTRICT COURT

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